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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

J.R.G. and M.A.R.,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 4:22-cv-5183

**DECLARATION OF J.R.G. IN
SUPPORT OF THE
OPPOSITION TO THE
MOTION TO TRANSFER AND
MOTION TO DISMISS
PLAINTIFFS' COMPLAINT**

1 I, J.R.G., herby declare the following:

- 2 1. I am one of the plaintiffs in this matter and the mother of plaintiff M.A.R. and we
3 intend to testify in our case.
- 4 2. I submit this declaration in opposition to defendant's motion to transfer our case to
5 Texas and it is based on my personal knowledge.
- 6 3. Our home is in Oakland, and we respectfully ask the Court to allow me and my
7 daughter to continue our case near our home where we have support from family and
8 the community.
- 9 4. In Texas, we do not have any family to support us or to give us a place to stay, and
10 my family is financially unable to travel to Texas for the periods of time that will be
11 needed to prepare for the case and attend the trial.
- 12 5. My husband and M.A.R.'s father, M.A.G., is a painter and has been the primary
13 earner for our family since I was released from immigration detention. This is in part
14 because I was pregnant and then taking care of our toddler, K.A.R. after I was
15 released. I only recently started working as a housecleaner, but my work is not stable
16 work, and my earnings vary week to week, and I do not get paid when I do not work.
17 Even with both of us now working, we are mostly meeting our basic needs and do not
18 have much savings, especially to travel for periods of time out of the state and to pay
19 for a place to stay and to pay our rent for our Oakland home. It would also not be
20 sustainable for either me or my husband to take periods of time off from work
21 without putting our jobs at risk and we cannot afford to lose our jobs because our
22 daughters M.A.R. and K.A.R. depend on us and neither of us get paid time off when
23 we do not work.


1 6. M.A.R. is also in school in Oakland and it would be disruptive to her education to
2 take her out of school and to travel to Texas for the case for long periods of time. It
3 would also be difficult to travel with my toddler K.A.R. There is no support for
4 K.A.R. in Texas and I cannot leave K.A.R. in Oakland, as it would be emotionally
5 and financially hard for our family to be separated again.

6 7. Our family's immigration attorneys, who are not charging us for our immigration
7 cases, are also in Oakland, and we have ongoing immigration matters that require us
8 to be available in case we are scheduled for any interviews.

9 8. There are also witnesses in our case who are here in the Oakland area. For example,
10 M.A.R. had a therapist in Oakland during the time we were separated and after we
11 were reunited. There was also a volunteer from a parent group at M.A.R.'s school in
12 Oakland who provided M.A.R. and my husband M.A.G. lots of support when I was
13 detained in addition to M.A.G.'s sister Y.A. who helped care for M.A.R. during that
14 time and Y.A. still lives in Oakland. All of these witnesses can share how devastating
15 and impactful it was for our family while M.A.R. and I continued to be separated
16 after she settled in Oakland.

17 I, J.R.G., declare under penalty of perjury of the law of the State of California and the United
18 States that the foregoing is true and correct to the best of my knowledge and memory.

19 DATED this 11 day of January, 2023.

20 
21 J.R.G.
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2 I, Yicella Gonzalez, declare that I read back the above “Declaration of J.R.G. in Support of the
3 Opposition to the Motion to Transfer and Dismiss Plaintiffs’ Complaint” to J.R.G. in the
4 Spanish language and that she indicated that she understood and agreed with its contents. I
5 further certify that I am competent to interpret from the English language into the Spanish
6 language.

7 DATED this 11 day of January, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system.

DATED this 12th day of January, 2023.

s/ Aaron Korthuis

Aaron Korthuis, WSBA No. 53974

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